

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 15, 1951
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Glass presiding.

Roll Call:

Present: Councilmen Drake, Long, Mayor Glass

Absent: Councilmen Johnson, MacCorkle

Present also: Walter E. Seaholm, City Manager; Trueman E. Quinn, City Attorney; C. G. Levander, Director of Public Works; R. D. Thorp, Chief of Police.

Councilman Long moved that since copies of the minutes of the last meeting of the City Council have been furnished Council members by the City Clerk, the reading of the minutes be dispensed with and that the minutes be adopted as read in the Clerk's report. Upon being duly seconded by Councilman Drake, the motion was unanimously adopted by the Council and the minutes so approved.

MR. C. R. SHEPARD, 1513 Cullen Avenue; MRS. FELIX CALHOUN, 1309 Cullen; MRS. L. H. POTTER, 1103 Karen, and MRS. RAY AKIN, Burnet Road, complained of the lack of roads to the new Brentwood School, and of the only approach being so muddy the children had to wade in mud, and the cars stuck and had to be pulled out with wreckers. The City Manager reported that progress was being made in the opening of Woodrow all the way through. The Director of Public Works stated that immediate relief could be given by his Department by graveling the existing street.

MR. JAMES P. SCHOOLLEY, operator in the boiler room, requested retirement at the age of 57, stating he was in bad health, and had been an employee for 27 years. He brought out the fact he was badly injured on the job some 13 years ago. The City Manager stated he would be able to retire under the new retirement program.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "Littman Subdivision", approved by the City Plan Commission of the City of Austin on February 8, 1951, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman Drake, carried by the following vote:
Ayes: Councilmen Drake, Long, Mayor Glass
Noes: None
Absent: Councilmen Johnson, MacCorkle

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the north side of West 3rd Street as a private gasoline plant, which property is owned by the American Moving and Storage Company, and is designated as part of Lots 9, 10, 11 and 12, Block 4, Raymond Addition, in the City of Austin, Travis County, Texas, and hereby authorized the said American Moving and Storage Company, through their agent, Mr. F. W. Harrell, to operate a private gasoline plant consisting of a 550 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations, and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations, and the right of revocation is retained, if after hearing, it is found by the City Council that the said F. W. Harrell has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
February 15, 1951

"Mr. Walter E. Seaholm
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of American Moving and Storage Company, through their agent, Mr. F. W. Harrell, for permission to operate a private gasoline plant consisting of a 550 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the north side of West 3rd Street, which property is designated as part of Lots 9, 10, 11 and 12, Block 4, Raymond Addition, in the City of Austin, Travis County, Texas, and locally known as 902 West 3rd Street.

"This property is located in a "D" Industrial District and I recommend that this permit be granted subject to the following conditions:

"(1). That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2). That all pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street or alley.

"(3). That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4). That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman Drake, carried by the following vote:
Ayes: Councilmen Drake, Long, Mayor Glass
Noes: None
Absent: Councilmen Johnson, MacCorkle

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to

lay and construct its gas mains in and upon the following streets:

(1) A gas main in EAST 38 $\frac{1}{2}$ STREET, from Maplewood Avenue westerly 198 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said EAST 38 $\frac{1}{2}$ STREET.

Said gas main described above shall have a cover of not less than 2 $\frac{1}{2}$ feet.

(2) A gas main in PAYNE AVENUE, from a point 29 feet east of Grover Avenue easterly 578 feet, the centerline, of which gas main shall be 8 feet south of and parallel to the north property line of said PAYNE AVENUE.

Said gas main described above shall have a cover of not less than 2 $\frac{1}{2}$ feet.

The Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman Drake, carried by the following vote:
 Ayes: Councilmen Drake, Long, Mayor Glass
 Noes: None
 Absent: Councilmen Johnson, MacCorkle

Councilman Drake offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to enter into a lease and modification of lease in behalf of the City of Austin with John F. Butler and T. J. Butler with respect to certain lands described in an indenture dated November 16, 1912, recorded in Book 255, Page 1, Deed Records of Travis County, Texas, the title to which lands was acquired

by the City of Austin by deed dated August 1, 1932, recorded in Book 482, Page 173, Deed Records of Travis County, Texas, such lease and modification of lease to be in accordance with the terms, conditions, and provisions of a certain instrument, copy of which is attached to this Resolution and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said lease and modification of lease without recordation in the Minutes of the City Council. (General File, PROPERTY-Lease, 1951) (486-C)

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Drake, Long, Mayor Glass

Noes: None

Absent: Councilmen Johnson, MacCorkle

Mayor Glass introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON ALL OF LOT 13, SOUTH 34.42 FEET OF LOT 14, AND SOUTH 84.42 FEET OF LOT 16, BLOCK 26, A. F. SMITH ADDITION, LOCALLY KNOWN AS 5101 BURNET ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Drake moved that the ordinance be passed to its second reading. The motion, duly seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Drake, Long, Mayor Glass

Noes: None

Absent: Councilmen Johnson, MacCorkle

The Electric Code was brought up for consideration, but its introduction was postponed until the next meeting.

Councilman Long moved that the following applications for change of zoning be set for public hearing March 8, 1951, at 11:00 A.M:

J. L. REED, By Kenneth Lamkin	1101 Navasota Street Southwest 87.5' x 100' of Lot 1, Blk. 1, Out- lot 56, Div. "B"	From "C-1" Commercial To "C-2" Commercial NOT Recommended by the Zoning Board
WOODROW BROWN	Lots 2, 9, and 10, Blk. 1, Outlot 35, Div. "B", 1801-05 Chicon Street and 1903 East 19th Street	From "B" Residence To "C" Commercial Recommended to in- clude additional property.
LOUIS D. KUBECKA	Blks. 46 and 47, and part of Blk. 44, Outlot 24, Div. "C" Christian & Fellman Addition bounded on the south by E. 23rd; on the west by Swisher; on the north by E. 24th and on the east by East Avenue. 2324-2332 East Avenue	From "B" Residence To "C" Commercial RECOMMENDED to in- clude additional property.
MRS. MAY LaPRELLE PRICE	5.52 acres abutting 430' on College Avenue & Euclid Avenue & 595' on Oltorf and on the south line of LaFrelle Place Subdivision, 2300 Blk. College Avenue.	From "B" Residence To "C" Commercial NOT Recommended by the Zoning Board.

The motion, seconded by Councilman Drake, carried by the following vote:
Ayes: Councilmen Drake, Long, Mayor Glass
Noes: None
Absent: Councilmen Johnson, MacCorkle

The Council received notice that the City Manager had referred the following application for change of zoning to the Zoning Board:

MRS. JUNIE C. KNAPE	1408 Brazos Street	From "B" Residence To "C" Commercial
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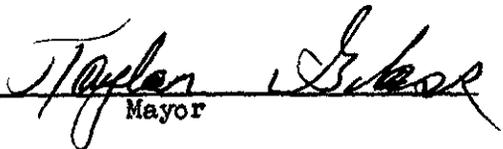
The amendment to the Taxi-cab ordinance pertaining to Section 23 was discussed. The City Attorney explained in the past there had been a lack of an automatic coverage; and under the old plan there had been cabs operating a day or two without insurance. He read regulations furnished him by the State Insurance Commission. The City Attorney explained that if it should develop that the Insurance Commission would not approve a policy for automatic coverage if they have more than one company within the same operation; that he wanted the Council to know that this would prevail and the company would have to confine their insurance to one insurance company. The Council decided to wait until next week to introduce the ordinance.

The Council had a brief discussion about setting up a formula on taxing equipment and machinery, but nothing definite was decided upon.

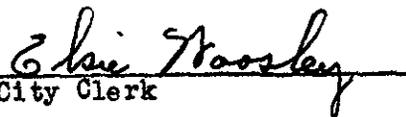
The Council, in memory of the HONORABLE ADAM R. JOHNSON, first City Manager of Austin, who passed away this week, noted his great service to the City of Austin, and unanimously voted to dedicate a page in the Minute Book in his memory.

The Mayor stated that when the Council adjourned that it do so in the memory of ADAM R. JOHNSON. There being no further business, the Council stood adjourned in the memory of the First City Manager of Austin, ADAM R. JOHNSON.

APPROVED:


Mayor

ATTEST:


City Clerk